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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 HATSUYO HARBORD,

9 Plaintiff,

10 v.

11 MTC FINANCIAL INC., et al.,

12 Defendants.

CASE NO. C20-5080-RJB

ORDER ON REVIEW OF  
MOTION FOR RECUSAL

13 On April 28, 2020, Plaintiff Hatsuyo Harbord, proceeding pro se, filed a Motion seeking  
14 to disqualify the Honorable Robert J. Bryan in this matter. Dkt. #41. On May 6, 2020, Judge  
15 Bryan issued an Order declining to recuse himself and, in accordance with this Court's Local  
16 Rules, referring that decision to the Chief Judge for review. Dkt. #45; LCR 3(f). The Court will  
17 not address the other rulings contained in that Order.

18 A judge of the United States shall disqualify himself in any proceeding in which his  
19 impartiality "might reasonably be questioned." 28 U.S.C. § 455(a). Federal judges also shall  
20 disqualify themselves in circumstances where they have a personal bias or prejudice concerning  
21 a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28 U.S.C.  
22 § 455(b)(1). Pursuant to 28 U.S.C. § 144, "whenever a party to any proceeding in a district court  
23 makes and files a timely and sufficient affidavit that the judge before whom the matter is pending  
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1 has a personal bias or prejudice either against him or in favor of any adverse party, such judge  
2 shall proceed no further therein, but another judge shall be assigned to hear such proceeding.”  
3 “[A] judge’s prior adverse ruling is not sufficient cause for recusal.” *United States v. Studley*,  
4 783 F.2d 934, 939 (9th Cir. 1986); *see also Taylor v. Regents of Univ. of Cal.*, 993 F.2d 710, 712  
5 (9th Cir. 1993) (“To warrant recusal, judicial bias must stem from an extrajudicial source.”).

6 On April 20, 2020, the Court issued an order denying Plaintiff’s motion to file pleadings  
7 by fax, denying her motion for extension of time without prejudice, and advising Plaintiff on the  
8 requirements for dismissal under Fed. R. Civ. P. 12(b). Dkt. #30. Plaintiff now seeks recusal of  
9 Judge Bryan citing discrimination and language barriers. Dkt. #41 at 1. In support of her motion,  
10 Plaintiff describes various logistical issues posed by COVID-19 pandemic, including no computer  
11 access law libraries, public libraries, or computers at the U.S. District Court, issues posed by  
12 clerk’s office closures, and delays posed by filing documents by mail. *See id.* at 1-3. She also  
13 describes her failure to receive all documentation in this case. *Id.*

14 Nothing presented in Plaintiff’s Motion convinces the Court that the standards for recusal  
15 have been met. Plaintiff’s allegations of discrimination are factually and/or legally unsupported.  
16 Because these unsupported and conclusory allegations are insufficient to demonstrate the  
17 appearance of bias or prejudice, the Court finds no evidence upon which to reasonably question  
18 Judge Bryan’s impartiality.

19 Accordingly, the Court hereby ORDERS that Judge Bryan’s refusal to recuse himself from  
20 this matter is AFFIRMED. The Clerk SHALL provide copies of this order to Plaintiff and to all  
21 counsel of record.

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1 DATED this 6<sup>th</sup> day of May, 2020.

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4 RICARDO S. MARTINEZ  
5 CHIEF UNITED STATES DISTRICT JUDGE  
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